

**CHICAGO NEWS**

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**Owner and Employees of Indiana Medical Center Charged with Multiple Felony Counts**

**APRIL 19 (INDIANAPOLIS)** —The Drug Enforcement Administration (DEA) and the Howard County Prosecutor's Office announced today felony charges against the owners and employees of the Wagoner Medical Center. The Wagoner Medical Center has offices in Burlington and Kokomo, Indiana. The charges arise out of an intensive investigation by the DEA, Kokomo Police Department, Howard County Drug Task Force, Indiana Office of the Attorney General, Medicaid Fraud Control Unit and the Howard County Prosecutor's Office. A total of 95 felony counts were filed against nine employees of the Wagoner Medical Center.

Four medical doctors and three physician assistants were charged with Dealing in Narcotic Drugs, Dealing in Schedule III Controlled Substances and Dealing in Schedule IV Controlled Substances. Three other employees were charged with Conspiracy to Deal in Narcotic Drugs, Conspiracy to Deal in Schedule III Controlled Substances and Conspiracy to Deal in Schedule IV Controlled Substances.

Jack Riley, Special Agent in Charge of the Chicago Field Division of the DEA praised the dedication and teamwork of everyone involved in this investigation, who worked tirelessly to bring these charges and make these arrests. "Prescription drug abuse is a significant problem. Last year, more overdose deaths were caused by prescription drug abuse than by heroin, cocaine and methamphetamine combined," he added.

Doctor Don Wagoner was charged with three Class A felony counts of Dealing in a Narcotic Drug under I.C. 35-48-4-1. He was also charged with five Class B felony counts of Dealing in a Narcotic Drug, four Class B felony counts of Dealing in a Schedule III Controlled Substance and five counts of Dealing in a Scheduled IV Controlled Substance as Class C felonies. He was also charged with felony counts of Conspiracy to Commit Dealing in a Narcotic Drug and Controlled Substances. Doctor Don Wagoner was charged with a total of 20 felony counts.

Doctor Marilyn Wagoner was charged with six counts of Dealing in a Narcotic Drug, all Class B felonies. She was also charged with five Class B felony counts of Dealing in a Schedule III Controlled Substance and five Class C felony counts of Dealing in a Schedule IV controlled substance. She was also charged with felony counts of Conspiracy to Commit Dealing in a Narcotic Drug and Controlled Substances. Doctor Marilyn Wagoner was charged with a total of 19 felony counts.

Doctor William Terpstra was charged with eight counts of Dealing in a Narcotic Drug, all Class B felonies. He was also charged with six counts of Dealing in a Schedule III Controlled Substance, Class B felonies and seven counts of Class C felony Dealing in a Schedule IV Controlled Substance. He was also charged with felony Conspiracy to Commit Dealing in a Narcotic Drug and Controlled Substances. Doctor William Terpstra was charged with a total of 24 felony counts.

Doctor Robert Brewer was charged with one Class B felony count of Dealing in a Narcotic Drug and one Class C felony count of Dealing in a Schedule IV Controlled Substance.

Physician Assistant Gary Hartman was charged with two counts of Aiding, Inducing and Causing Dealing in a Narcotic Drug, Class A felonies; one count of Aiding, Inducing and Causing Dealing in a Narcotic Drug, a Class B felony and two counts of Aiding, Inducing and Causing Dealing in a Schedule IV Controlled Substance, Class C felonies. He was also charged with felony Conspiracy to Commit Dealing in a Narcotic Drug and Controlled Substances. Physician Assistant Gary Hartman was charged with a total of eight felony counts.

Physician Assistant Thomas Hewitt was charged with three counts of Aiding, Inducing and Causing Dealing in a Narcotic Drug, Class B felonies; three counts of Aiding, Inducing and Causing Dealing in a Schedule III Controlled Substance, Class B felonies; and three counts of Aiding, Inducing and Causing Dealing in a Schedule IV Controlled Substance, Class C felonies. He was also charged with felony Conspiracy to Commit Dealing in a Narcotic Drug and Controlled Substances. Physician Assistant Thomas Hewitt was charged with a total of 12 felony counts.

Physician Assistant John Thomas was charged with one count of Aiding, Inducing and Causing Dealing in a Narcotic Drug, a Class B felony and one count of Aiding, Inducing and Causing Dealing in a Schedule III Controlled Substance, a Class B felony. He was also charged with felony Conspiracy to Commit Dealing in a Narcotic Drug and Controlled Substances. Physician Assistant John Thomas was charged with a total of four felony counts.

Nurse Linda Richards was charged felony Conspiracy to Commit Dealing in a Narcotic Drug and Controlled Substances. Nurse Linda Richards was charged with a total of three felony

counts.

Office Manager Michelle Wagoner was charged with three felonies of Conspiracy to Commit Dealing in a Narcotic Drug and Controlled Substances.

The Honorable Judge William Menges, Jr. of the Howard County Superior Court 1 found probable cause for the issuance of arrest warrants for employees and set bonds as follows:

Doctor Don Wagoner: \$1,000,000, cash only, no 10%, no bondsman;  
Doctor Marilyn Wagoner: \$1,000,000, cash only, no 10%, no bondsman;  
Doctor William Terpstra: \$1,000,000, cash only, no 10%, no bondsman;  
Doctor Robert Brewer: \$75,000, with 10% allowed;  
Physician Assistant Gary Hartman: \$75,000, cash only, no 10%, no bondsman;  
Physician Assistant Thomas Hewitt: \$75,000, cash only, no 10%,  
no bondsman;  
Physician Assistant John Thomas: \$75,000, cash only, no 10%, no bondsman  
Nurse Linda Richards: \$75,000, with 10% allowed;  
Office Manager Michelle Wagoner: \$75,000, with 10% allowed;

Per the Indiana Office of the Attorney General Medicaid Fraud Unit, earlier this year, the Indiana Attorney General's Office filed administrative licensing complaints with the Indiana Medical Licensing Board against the medical licenses of Doctor Donald Wagoner and Doctor Marilyn Wagoner. On March 27, 2013, both of the Wagoners signed voluntary agreements prohibiting them from prescribing controlled substances, pending further action by the licensing board. The licensing board is also scheduled to further review the State's petitions against Doctor Robert Brewer and Doctor William Terpstra on April 25, 2013; and review the complaints against the Wagoners on June 27, 2013. The Attorney General's Office, as the state's consumer protection agency will assist law enforcement and the county prosecutor as needed.

This is an ongoing investigation and if anyone has information concerning this matter, please contact the Howard County Drug Task Force hot line at 765-456-7234.

Copies of the Charging Informations and Affidavits for Probable Cause are available upon request.

The Howard County Prosecutor's Office emphasised that the filing of the charges against the aforementioned individuals are merely allegations and that all persons charged are presumed innocent until and unless proven guilty in court.

*Parents and children are encouraged to educate themselves about the dangers of drugs by visiting DEA's interactive websites at [www.JustThinkTwice.com](http://www.JustThinkTwice.com), [www.GetSmartAboutDrugs.com](http://www.GetSmartAboutDrugs.com) and [www.dea.gov](http://www.dea.gov).*

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